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Dkt. 43966-CA-PCT-US/JPW/MAF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Graham P. Allaway, et al.
Serial No.: 09/412,284 Examiner: J. Parki
Filed : October 5, 1999 Group Unit: 1648
For : METHODS FOR USING RESONANCE ENERGY TRANSFER-BASED
ASSAY OF HIV-1 ENVELOPE GLYCOPROTEIN-MEDIATED
MEMBRANE FUSION, AND KITS FOR PRACTICING SAME
FUSION, AND KITS FOR PRACTICING SAME

1185 Avenue of the Americas
New York, New York 10036
March 8, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231
Attn: Box AF

Sir:

**NOTICE OF APPEAL FROM
THE EXAMINER'S DECISION TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board from the Final Office Action mailed September 11, 2001 finally rejecting pending claims 7, 9, 10, and 15-17 in connection with the above-identified application.

Additionally, in response to the Final Office Action of September 11, 2001 an Amendment and Response after Final Rejection with Petition for a Three Month Extension of Time and accompanying Declaration under 37 C.F.R. §1.132 of Paul J. Maddon, M.D., Ph.D. is being filed concurrently herewith. The subject application is

03/27/2002 TTRAN1 00000035 09412284

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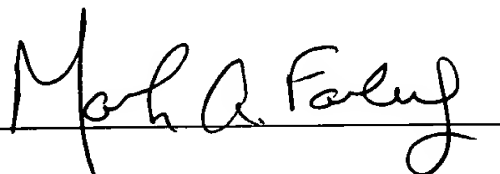
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thus pending today, i.e. March , 2002. Accordingly, this Notice of Appeal is being timely filed.

The required fee for filing a Notice of Appeal under 37 C.F.R. §1.17(e) is ONE HUNDRED SIXTY DOLLARS (\$160.00), and a check for this amount is enclosed.

No fee, other than the enclosed \$160.00 fee for filing a Notice of Appeal, is deemed necessary. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

 3-8-02
Date

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